1999 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB254)

Received: 02/23/2000 Wanted: As time permits For: Joanne Huelsman (608) 266-2635 This file may be shown to any legislator: NO May Contact: Subject: Education - school boards				Received By: grantpr Identical to LRB: By/Representing: Jeanine Drafter: grantpr Alt. Drafters: Extra Copies: MJL											
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School board membership; changes				
Instructions:				
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STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

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1999 - 2000 LEGISLATURE

1999 SENATE BILL 254

SEN. DUBST- AMPT

October 20, 1999 - Introduced by Senator Huelsman, cosponsored by Representatives STONE and OWENS. Referred to Committee on Education.

AN ACT to amend 120.02 (1) of the statutes; relating to: the procedure for

changing the number of school board members in a common or unified school district.

Analysis by the Legislative Reference Bureau

Current law provides a procedure for changing the number of school board members in a common or unified school district. A petition must be filed with the school district clerk, who must incorporate in the notice of the annual meeting (in a common school district) or election (in a unified school district) a statement that at the meeting or election the question of changing the number of school board members will be voted upon. The petition must be signed by at least 100 electors who reside in the school district, except that in a school district that contains, in whole or in part, a second or third class city, the petition must be signed by at least 500 school district electors.

This bill provides that, if a school district contains, in whole or in part, a second or third class city, the petition must be signed by at least 500 electors only if one or more electors of the school district reside in that city.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 120.02 (1) of the statutes is amended to read:

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SENATE BILL 254

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120.02 (1) Change in number of school board members. If, at least 30 days prior to the day of the annual school district meeting, in a common or union high school district, or at least 45 days prior to the day of the election of school board members in a unified school district, a petition conforming to the requirements of s. 8.40 requesting a change in the number of school board members is filed with the school district clerk the clerk shall incorporate in the notice of the annual meeting or election a statement that at the meeting or election the question of changing the number of school board members to the number requested in the petition will be voted upon. The petition shall be signed by not less than 100 electors residing in the school district, except that in school districts which contain, in whole or in part, a city of the 2nd or 3rd class in which one or more electors of the school district reside, the petition shall be signed by not less than 500 electors residing in the school district. If, at the meeting or election of school board members, a resolution based on a petition requesting a change in the number of school board members is adopted by a majority vote, school board members shall be elected at the next school board election and his act thereafter in accordance with sub. (3).

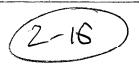
SECTION 2. Initial applicability.

(1) Whe treatment of section 120.12/11 the statute first applies to petitions filed applications on the effective date of this subsection.

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(END)



Section #. 120.02 (2) (a) of the statutes is amended to read:

120.02 (2) (a) If, at least 30 days prior to the day of the annual meeting, in a common or union high school district, or at least 45 days prior to the day of the election of school board members in a unified school district, a petition conforming to the requirements of s. 8.40 requesting the establishment of a plan of apportionment of school board members is filed with the school district clerk the clerk shall incorporate notice of receipt of such petition in the notice of the annual meeting or election. The petition shall specify the proposed plan of apportionment of school board members among the cities, towns and villages or parts thereof within the school district and set the total number of school board members at not more than 11. The petition shall be signed by not less than 100 electors residing in the school district, except that in school districts which contain, in whole or in part, a city of the 2nd or 3rd class the petition shall be signed by not less than 500 electors residing in the school district. If a majority vote of the annual meeting or election approves the plan set forth in the petition, the plan shall remain in operation until revised by the same procedure. School board members elected under this subsection shall be elected by a vote of the electors of the entire school district in accordance with the plan prepared under sub. (3).

History: 1975 c. 138, 199; 1983 a. 27; 1987 a. 391; 1989 a. 114, 192.

in which one or more electors of the school district reside,

STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBs0323/1dn PG:jlg:jf

February 25, 2000

This substitute amendment could be challenged as being nongermane to the bill.

Peter R. Grant Managing Attorney Phone: (608) 267–3362

E-mail: Peter.Grant@legis.state.wi.us



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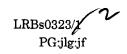
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State of Misconsin 1999 - 2000 LEGISLATURE





SENATE SUBSTITUTE AMENDMENT,

TO 1999 SENATE BILL 254

Regen

AN ACT to amend 120.02 (1) and 120.02 (2) (a) of the statutes; relating to: the procedure for changing the number, and for establishing a plan of apportionment, of school board members in a common or unified school district.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 120.02 (1) of the statutes is amended to read:

120.02 (1) Change in number of school board members. If, at least 30 days prior to the day of the annual school district meeting, in a common or union high school district, or at least 45 days prior to the day of the election of school board members in a unified school district, a petition conforming to the requirements of s. 8.40 requesting a change in the number of school board members is filed with the school district clerk the clerk shall incorporate in the notice of the annual meeting or election a statement that at the meeting or election the question of changing the number of school board members to the number requested in the petition will be

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voted upon. The petition shall be signed by not less than 100 electors residing in the school district, except that in school districts which contain, in whole or in part, a city of the 2nd or 3rd class in which one or more electors of the school district reside, the petition shall be signed by not less than 500 electors residing in the school district. If, at the meeting or election of school board members, a resolution based on a petition requesting a change in the number of school board members is adopted by a majority vote, school board members shall be elected at the next school board election and thereafter in accordance with sub. (3).

SECTION 2. 120.02 (2) (a) of the statutes is amended to read:

120.02 (2) (a) If, at least 30 days prior to the day of the annual meeting, in a common or union high school district, or at least 45 days prior to the day of the election of school board members in a unified school district, a petition conforming to the requirements of s. 8.40 requesting the establishment of a plan of apportionment of school board members is filed with the school district clerk the clerk shall incorporate notice of receipt of such petition in the notice of the annual meeting or election. The petition shall specify the proposed plan of apportionment of school board members among the cities, towns and villages or parts thereof within the school district and set the total number of school board members at not more than 11. The petition shall be signed by not less than 100 electors residing in the school district, except that in school districts which contain, in whole or in part, a city of the 2nd or 3rd class in which one or more electors of the school district reside, the petition shall be signed by not less than 500 electors residing in the school district. If a majority vote of the annual meeting or election approves the plan set forth in the petition, the plan shall remain in operation until revised by the same procedure. School board members elected under this subsection shall be elected by a vote of the

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electors of the entire school district in accordance with the plan prepared under sub.

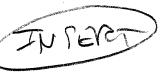
(3).

SECTION 3. Initial applicability.

(1) This act first applies to petitions filed under that section on the effective date of this subsection.

(END)

statutes



Section #. 120.02 (4) of the statutes is amended to read:

120.02 (4) ELECTION TO NUMBERED SEATS. If, at least 30 days prior to the day of the annual meeting, in a common or union high school district, or at least 45 days prior to the day of the election of school board members in a unified school district, a petition conforming to the requirements of s. 8.40 which sets forth a plan for the assignment of a number to each seat on the school board is filed with the school district clerk, the school district clerk shall incorporate notice of receipt of such petition in the notice of the annual meeting or election required under s. 120.06 (8) (c). The petition shall be signed by not less than 100 electors residing in the school district, except that in school districts which contain, in whole or in part, a city of the 2nd or 3rd class, the petition shall be signed by not less than 500 electors residing in the school district. If a majority vote of the annual meeting or election approves the plan set forth in the petition, the plan shall remain in operation until revised by the same procedure.

History: 1975 c. 138, 199; 1983 a. 27; 1987 a. 391; 1989 a. 114, 192.

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